

DRINKING WATER & WASTEWATER PROFESSIONALS
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 5/3/2017

BOARD MEMBERS PRESENT: Dr Joan M Cloonan - Chair
John R Lee
Brad D Andersen
Daniel J Messier
Michael W Shepherd
Barry N Burnell

BOARD MEMBERS ABSENT: Bryan A Lacy

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Marcie Rightnowar, Appeals/Hearings Coordinator
Eric Nelson, Board Prosecutor
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Kellie LaBonte, Technical Records Specialist II

OTHERS PRESENT: Shelley Roberts, CEO Idaho Rural Water Assoc.
Larry Garcia
Troy Hayman

The meeting was called to order at 8:30 AM MDT by Dr Joan M Cloonan.

APPROVAL OF MINUTES

Mr. Burnell made a motion to approve the minutes of 2/1/2017. It was seconded by Mr. Shepherd. Motion carried.

PUBLIC COMMENT

Dr. Cloonan asked the members of the audience if anyone wished to address the Board. There was no one who wanted to address the Board.

LEGISLATIVE REPORT

Mr. Toryanski gave the legislative report. The deadline to submit proposed law changes to the Governor's Office is August 1 and the deadline to submit proposed rule changes to the Governor's Office is the third week in August for the 2018 Legislative Session.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board had a cash balance of \$392,540 as of 4/30/2017.

DISCIPLINE

Mr. Nelson presented a memorandum regarding case number WWP-2017-1. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Mr. Shepherd made a motion to approve the Bureau's recommendation and authorize closure in case I-WWP-2017-2. It was seconded by Mr. Burnell. Motion carried.

TO DO LIST – The Board reviewed the to-do list and no action was taken.

UPDATE ON APPRENTICESHIP PROGRAM

Ms. Roberts updated the Board on the progress of developing the apprenticeship program. She discussed that the committee is working on various details of the program. This includes what skills, education and experience is needed to start the program and what skills, experience and education a prospective apprentice would walk away with upon completion of the program. Ms. Roberts mentioned that there will be a need for changes in the Board's laws and rules; however, it is not likely to happen for the 2018 session. Ms. Roberts will keep the Board posted regarding the committee's progress.

Ms. Cory mentioned the issue of military experience and current Idaho Code 67-2620 and asked Ms. Roberts to share this information with the group working on the apprenticeship program.

UPDATE ON EXAMINATION PROCESS

Ms. LaBonte said that the process continues to become more consistent. Feedback received from operators continues to be positive as they prefer to choose the

examination date. In April, the written exam was held at the Bureau and only one examinee took the written test. There has been a significant decrease in the number of operators selecting the written exam.

Ms. Cory mentioned that an issue regarding the examination took place in March and the Board Chair was contacted. During the February 2017 meeting, the Board granted an additional 60 days to take and pass the exam to individuals who met certain criteria; the expiration date was 4/1/2017. The Board Chair determined that the 60 days should begin from the date of the letter. The date of the letter was 2/8/2017; therefore the expiration date was determined to be 4/9/2017.

Mr. Shepherd made a motion to ratify the decision made by the Board Chair noting that the 60 days granted was from the date of the letter, not the date of the Board meeting. It was seconded by Mr. Lee. Motion carried.

Mr. Shepherd made a motion to add to the annual to-do list for Ms. LaBonte to provide a presentation regarding operator licensure at the annual IRWA meeting that is held in March. It was seconded by Mr. Andersen. Motion carried.

DISCUSSION OF PROPOSED LAW CHANGE

Mr. Andersen stated that there is a trend taking place in other states in which a licensed operator is now being referred to as an "Operator Specialist". Discussion over the change from operator to specialist took place. No further action was taken.

The Board discussed upgrading of licenses from one class to another. The Board stated that in order to upgrade from an Operator in Training license to a Class I, the Operator in Training License must be current. If it is not current, then the applicant would need to apply for licensure by way of examination. The Board decided that a law change is not needed at this time.

CORRESPONDENCE

The Board reviewed an e-mail from Mr. Harper asking questions about responsible charge time. The Board provided responses to those questions and asked for Ms. LaBonte to reply to the e-mail accordingly.

The Board reviewed an e-mail from Ms. Harris requesting information regarding companies that can perform contract operations. Mr. Burnell will provide a link to the Department of Environmental Quality's website for Ms. LaBonte to provide to Ms. Harris.

The Board reviewed an e-mail from Mr. Herron. Mr. Herron requested that HR² Inc. (Northwest Backflow Educators) be included on the Board's website under the "training and studies" tab. Mr. Herron additionally inquired about the Board adding an additional instructor for Backflow Assembly Testers. Mr. Andersen made a

motion to add Board approved Backflow Assembly Tester instructors to the Board's website. It was seconded by Mr. Shepherd. Motion carried.

EXECUTIVE SESSION

Mr. Messier made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Lee. The vote was: Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; and Mr. Burnell, aye. Motion carried.

Mr. Burnell made a motion to come out of executive session. It was seconded by Mr. Messier. The vote was: Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; and Mr. Burnell, aye. Motion carried.

PROFESSIONAL OPERATOR CERTIFICATION DISCUSSION

The Board discussed with Mr. Mike McClenathan, by phone, the Professional Operator Certification that is offered through the Association of Boards of Certification (ABC). The Board stated that there are three ways to apply for licensure in Idaho: by examination, by upgrading, and by endorsement. Mr. McClenathan would like the Idaho Board to consider possible law and rule changes that would include the ability to apply using a Professional Operator Certificate. The Board asked for Mr. McClenathan to provide the Board with the requirements that must be met to obtain a Professional Operator Certificate through ABC. Mr. McClenathan will e-mail the requested information to Ms. LaBonte, who will then forward the information to the Board members. The Board asked that this discussion be placed on the next agenda.

EXECUTIVE SESSION

Mr. Messier made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Mr. Shepherd. The vote was: Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; and Mr. Burnell, aye. Motion carried.

Mr. Lee made a motion to come out of executive session. It was seconded by Mr. Shepherd. The vote was: Dr. Cloonan, aye; Mr. Lee, aye; Mr. Andersen, aye; Mr. Messier, aye; Mr. Shepherd, aye; and Mr. Burnell, aye. Motion carried.

Mr. Messier made a motion granting a licensee who requested a hardship waiver 90 days from the date of the Board meeting to obtain the required continuing education

units or the matter will be turned over to the investigative unit. It was seconded by Mr. Shepherd. Motion carried.

Mr. Shepherd made a motion to deny an applicant's request for reconsideration and request for a refund; and to have Ms. LaBonte reply to the applicant's e-mail. It was seconded by Mr. Messier. Motion carried.

APPLICATIONS

The Board reviewed 118 applications.

Mr. Burnell made a motion to approve 24 applications for licensure and approve 76 applications for exam. It was seconded by Mr. Lee. Motion carried.

Mr. Burnell made motion to deny 5 applications. It was seconded by Mr. Shepherd. Motion carried.

Mr. Burnell made a motion to hold 13 applications pending more information. It was seconded by Mr. Shepherd. Motion carried.

Approved for Licensure

BARNES MISTY DAWN	DWT1-21800
BARNES MISTY DAWN	DWD1-21799
BOOTH SAMUEL AARON	WWT1-21765
CANNADY DALTON BEN	WWT1-21887
CARDOZA DUSTIN ANTHONY	WWC1-21729
CEJA VICTOR J	DWD1-21716
COLLINS RONALD E	WWT1-21703
COWLEY JEFFREY DEE	DWD4-21805
COWLEY JEFFREY DEE	DWT4-21803
COWLEY JEFFREY DEE	WWC4-21804
COWLEY JEFFREY DEE	WWT4-21802
DONOVAN BRIAN	WWT1-21717
FISSETTE MATTHEW CLIFFORD	WWC1-21745
HAGGERTY ADAM	WWT1-21893
HENSLEY BRETT MICHAEL	DWD1-21708
JAMES GEORGE RUSSELL	WWC1-21675
KISSIRE TRAVIS J	WWT1-21763
MEADE MARSHALL M.	WWC1-21707
PARKER ELISA YVETTE	WWC1-21760
POLLOCK BRENNAN JAMES	DWD1-21727-R
PRATT JEFFREY P	DWD1-21737-R
TOWNER ERIC ROBERT	BAT-21793
WASH DANIEL GLENN	WWT1-21766

Approved for Exam

AHRENS BRIAN SCOTT	DWD3
ARCHER SPENCER	WWT2
AULBACH RAY HOWARD	WWL2
BEARD FRED MITCHELL	DWDVSWWS
BOURGEOIS CODY P	WWC2
BOWMAN CLAYTON ROBERT	DWD1
CARLETON BENJAMIN	WWT1
CASSEL CHAD K	DWT1
COLES CHASE L	DWD2
COSTNER NATHAN JOSEPH	WWL2
CUSTER ZANE ANDREW	WWC2
DAVIS LUCAS KING	DWD1
DUNCAN WILLIAM EDWARD	WWT2
EICH SPENCER	WWT1
ELUMBAUGH BRETT ALLEN	WWC2
ELUMBAUGH BRETT ALLEN	WWT2
ENNEKING PATRICK JOSEPH	WWTLA
ETHERINGTON WILLIAM ISAAC	WWL1
FELTON JARED JENNINGS	DWD3
FISSETTE MATTHEW CLIFFORD	WWT1
FLORES RUBEN	WWC1
FULLMER KARSON KURT	BAT
GARCIA LARRY	DWDOIT
GARCIA LARRY	WWTOIT
HAGGERTY ADAM	WWL1
HARMON DAVID ANTHONY	WWT4
HARPER IVAN BRUCE	DWT1
HAYMAN TROY EMANUELL	WWT2
HAYMAN TROY EMANUELL	DWD1
HEATON CHAS	DWD3
HEUSEVELDT ROBERT M	WWT2
HIGLEY EMILY ANN	WWT1
HOVEY NORMAN SCOTT	WWC3
JESKE MATT	DWDVSWWS
JONES ERIC ALLEN	DWD2
JORDAN SCOTT RANDALL	BAT
JORGENSEN BLAKE	WWT1
KERR BRIAN CHRISTOPHER	DWD4
KERR BRIAN CHRISTOPHER	DWT1
KOWNY DANIEL C	WWT2
KURIEN SAUMIA SUSAN	WWL1

LEMIRICK ROGER	DWD4
LESNIEWSKI ROBERT JOSEPH	DWT2
LONG JAMES	WWC1
MUSY AURORE	WWL1
NADEAU MIKE N	WWT4
OVERACRE SAMUEL EDWARD	WWT1
PALMER MARK A	DWD1
PARSON LES	DWD3
PETERSON COURTNEY MICHELLE	WWL1
PETERSON ERIK NICOLAI	DWD3
PUENTE JUAN	WWC2
RICE WESLEY JAMES	WWC1
RICE JACOB WILLIAM	WWC1
RICE JACOB WILLIAM	WWT1
SCHAETZ GARRETT	WWTOIT
SHOOK CORY ELTON	DWT2
SNOW SCOTT ALLEN	WWL1
STIDHAM GAGE OWEN	WWT2
TACKETT MICHAEL	WWL1
TAGUE JOSEPH DANIEL	WWT3
TAYLOR MICHAEL R	WWT3
THOMPSON MARSHALL	DWD4
THOMSON JUSTIN	WWT2
TROWBRIDGE DAVIN JOHN	WWC1
TROXLER ROBERT	DWD2
TROXLER ROBERT	DWT2
TUCKETT VAN	DWD4
URZUA JESSE	DWT1
WAGGONER CARL PHILLIP	WWT3
WALKOSKI KYLLE ROBERT	WWT2
WALLACE TODD	WWT1
WHITE WILLIAM SHANE	WWT1
WILKIE KEVIN D	WWC1
WISE MATT LAMONT	DWD1
WOLFE TIMOTHY JOE	DWD1

Denied

BOWMAN DANIEL JOHN
 PARKS TONY
 PETERSON DUSTIN D
 SULLIVAN RYAN DON
 ZAVALA MIGUEL

Pending

901125226
901105713
901081188
901146488
901148571
901144539
901144539
901142669
901150790
901151038
901151000
901136665
901116638

NEXT MEETING was scheduled for August 2, 2017 at 8:30 AM.

ADJOURNMENT

Mr. Burnell made a motion to adjourn the meeting at 2:32 PM. It was seconded by Mr. Shepherd. Motion carried.

Dr Joan M Cloonan, Chair

John R Lee

Brad D Andersen

Daniel J Messier

Michael W Shepherd

Bryan A Lacy

Barry N Burnell

Tana Cory, Bureau Chief